

**REQUEST  
FOR  
CONTINUED EXAMINATION  
(RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

<i>Confirmation Number</i>	3738
<i>Application Number</i>	10/700,070
<i>Filing Date</i>	10-31-2003
<i>First Named Inventor</i>	Bernhard Awolin
<i>Group Art Unit</i>	3761
<i>Examiner Name</i>	Melanie Jo Hand
<i>Attorney Docket Number</i>	J&J5083USNP

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

*NOTE:* 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii.  Other
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required.)
- b.  Other

**3. Fees** - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a.  The Director is hereby authorized to charge or credit any differences or overpayments, to Deposit Account No. **10-0750** to the fees already paid on line.
  - i.  RCE fee is required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of Time (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (print/type)	Joel A. Rothfus	Registration No.	33,277
Signature	/Joel A. Rothfus/	Date	February 19, 2009

**CERTIFICATE OF TRANSMISSION**

I hereby certify that, on the date shown below, this correspondence is being transmitted to the USPTO via the electronic filing system in accordance with 37 CFR 1.6(a)(4)

Name (print/type)	Margaret M. Turner, Patent Paralegal		
Signature	/Margaret Turner/	Date	February 19, 2009